

ENTERED

May 16, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONMARATHON OIL COMPANY,
Plaintiff,

v.

KOCH ENERGY SERVICES, LLC,
Defendant.§
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Civil Action No. 4:21–CV–1262

[PROPOSED] FINAL JUDGMENT

On February 5, 2024, United States Magistrate Judge Christina A. Bryan entered a memorandum and recommendation that the Court render summary judgment in favor of Marathon Oil Company (“Marathon”) on its claim for breach of contract against Koch Energy Services, LLC (“Koch Energy”) in the amount of approximately \$9.8 million. Doc. 198. The Court adopted that memorandum and recommendation on February 23, 2024. Doc. 200. Marathon’s motion for summary judgment against Koch Energy’s counterclaim was denied. Docs. 198, 200.

Koch Energy’s counterclaim for breach of contract was duly tried before a jury of eight citizens, commencing on April 28, 2025, the Honorable Sim Lake, presiding. On May 5, 2025, according to the instructions given to the jury, the jury returned its verdict by way of its answers to the questions propounded to it. Doc. 298. In accordance with the Court’s rulings and the verdict so rendered by the jury in this matter, **IT IS ORDERED, ADJUDGED, AND DECREED THAT:**

1. Marathon recover \$9,820,964 from Koch Energy Services, LLC for breach of contract;
2. Marathon recover prejudgment interest at the rate of 5.25% from March 25, 2021, in the amount of \$2,134,455.23 as of May 14, 2025—with \$1,412.60 in additional pre-judgment interest accruing per day thereafter until the day before the entry of this Final Judgment;

3. Marathon recover post-judgment interest on all amounts awarded in the Final Judgment at the rate of 3.97%, compounded annually, from the date of entry of this Final Judgment until it is paid in full.
4. Koch Energy take nothing on its claim for breach of contract.
5. Marathon shall recover its costs of suit against Koch Energy, as taxed by the Clerk, with the amount to be determined by subsequent bill or motion.

This Final Judgment finally disposes of all parties and all claims. All relief not expressly granted is denied. This Final Judgment is appealable.

Signed in Houston, Texas on May 16, 2025



Hon. Simon Lake
United States District Judge

Approved as to substance and form:

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